

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

ARTHUR J. GALLAGHER & CO.,

Plaintiff,

v.

KYLE ANTHONY,

Defendant.

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CASE NO. 16-CV-00284

OPINION AND ORDER
[Resolving Doc. [68](#)]

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

On February 5, 2016, Plaintiff Arthur J. Gallagher & Co. filed a complaint contending that Defendant Anthony violated his non-solicitation agreement, tortiously interfered with Gallagher's business, and unlawfully disclosed trade secrets in connection with client departures from Gallagher.¹

Upon meeting with the parties, this Court set the matter for expedited trial, with a bench trial scheduled for June 6, 2016. Due to a scheduling conflict, the Court then rescheduled the bench trial to June 27, 2016.² The Court ordered that the parties file opening briefs taking the format of proposed findings of fact and conclusions of law.³ The Court did not set deadlines for dispositive motions.

On June 1, 2016, Defendant Kyle Anthony filed his opening brief.⁴ On the same day, Defendant Anthony filed a motion for summary judgment, indicating that the reasons in support of the motion were in the opening brief.⁵

¹ Doc. [1](#).

² The bench trial was first moved to June 28, 2016 Doc. [43](#). The Court then moved the bench trial to June 27, 2016. Non-docket entry dated June 3, 2016.

³ Doc. [26](#); Non-docket entry May 17, 2016.

⁴ Doc. [62](#).

Plaintiff Gallagher has now filed a motion to strike Defendant's motion for summary judgment or alternatively, for leave to respond.⁶ Because trial will commence on June 27, 2016, and this Court did not set out a dispositive motion briefing schedule, this Court **GRANTS** Plaintiff's motion to strike and **DENIES AS MOOT** Defendant's motion for summary judgment.

IT IS SO ORDERED.

Dated: June 24, 2016

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE

⁵ Doc. [63](#).

⁶ Doc. [68](#).